UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/657,250	09/06/2000	Ludovic Pierre	5266-02600	9855

44015 7590 09/07/2006	EXAMINER	
OPTV/MEYERTONS	MANNING, JOHN	
RORY D. RANKIN		
P.O. BOX 398	ART UNIT	PAPER NUMBER
AUSTIN, TX 78767-0398	2623	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/657,250	PIERRE ET AL.
	Examiner	Art Unit	
	John Manning	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-9, 11-25 and 27-29* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-9, 11-25 and 27-29* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some *   c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments, filed 6/13/06, with respect to the rejection(s) of claim(s) 1,

15 and 22 under Pohlmann et al. have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a

new ground(s) of rejection is made in view of Warwick et al. (US Pat No 6,598,169).

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-2, 4, 7-9, 12-15 and 17-21 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Pohlmann et al (US Pat No 6,446,136) in view of Warwick et

al. (US Pat No 6,598,169).

In regard to claims 1 and 15, Pohlmann discloses an event management system.

The claimed limitation of "an event broker configured to register a plurality of event

bookings in response to requests from one or more clients, wherein each said event

booking identifies an event which may occur in the future and an action to be taken

should the identified event occur" is met by Figure 4, Item 413 (See Col 5, Lines 3-26).

The claimed limitation of "one or more event managers, wherein each of said one or

more event managers is configured to detect particular types of events" is Figure 3, Item

310. The claimed limitation of "one or more action handlers, wherein each of said one

or more action handlers is configured to initiate particular types of actions" is met by

Figure 3, Item 350. The claimed limitation of "wherein each of said event broker, said

clients, said event managers, and said action handlers comprise distinct functional

entities" is met by Figure 3. The claimed limitation of "wherein a first event manager of

said one or more event managers is configured to notify said event broker of a first

event which corresponds to a first event booking, in response to detecting said first

event" is met by Figure 3-4 (See Col 5, Lines 67-Col 6, Lines 19). The claimed

limitation of "wherein the event broker is configured to notify a first action handler which

corresponds to the first event booking, in response to receiving notification from the first

event manager of the detected first event" is met by Figure 3-4 (See Col 8, Lines 1-13).

The claimed limitation of "wherein the first action handler is configured to initiate a first

action, in response to receiving notification from the event broker of the detected first

event" is met by Figure 3-4 (See Col 11, Lines 10-26). The claimed limitation of

"wherein a first request of the requests for an event booking identifies a first event which

may occur in the future and a first action to be taken upon occurrence of said first event"

is met by Figure 3-4 (See Col 6, Lines 20-35; Col 6, Lines 57-62). Pohlmann fails to

explicitly disclose "wherein the first request includes a description of the first event using

a syntax which is unintelligible to the event broker but which is intelligible to a first event

manager of the event managers". Warwick et al. teaches a "first request includes a

description of the first event using a syntax which is unintelligible to the event broker but

which is intelligible to a first event manager of the event managers" (See: Col 7, Line 54

– Col 8, Line 39; Col 2, Lines 49-65: Figure 5) so as to avoid the computer system from

suffering the performance burden of having similar code all loaded in the kernel.

Consequently, it would have been clearly obvious to one of ordinary skill in the art to

modify Pohlmann with a "first request includes a description of the first event using a

syntax which is unintelligible to the event broker but which is intelligible to a first event

manager of the event managers" for the stated advantage. Pohlmann fails to explicitly

disclose that the event manager is configured to determine whether the booking will be

accepted and provide a positive acknowledgement to the broker in response to

determining that the event booking is accepted.   However, the examiner gives

OFFICIAL NOTICE that it is notoriously well known in the art to use the concept of

providing positive acknowledgement in response to determining that the entering of a

task is accepted so as to ensure that the process performed by the system is

performed. Consequently, it would have been clearly obvious to one of ordinary skill in

the art to modify Pohlmann with the concept of providing positive acknowledgement in

response to determining that the entering of a task is accepted so as to ensure that the

process performed by the system is performed.

In regard to claim 2, Pohlmann fails to explicitly disclose that the event manager

is not configured to communicate directly with the fist action handler. However, it is

submitted that it would have been clearly obvious to one of ordinary skill in the art to

have the event manager not configured to communicate directly with the fist action

handler so as to have an intermediate step between the two modules such as a

buffering device so as to alleviate any problems associated with real time communication.

Claims 4, 7-9, 17-21 are met by that discussed for claim 1.

In regard to claim 12, Pohlmann discloses that the event broker is configured to maintain ranks corresponding to said event bookings and, if a plurality of said events have been detected, to initiate said corresponding actions in an order determined by said ranks (See Col 13, Lines 12-22).

In regard to claim 13, Pohlmann discloses that the clients are configured to access event bookings which have been stored by the event broker, said access comprising a query, a modification, or a termination of a stored event booking (See Col 13, Lines 23-29).

In regard to claim 14, Pohlmann fails to disclose that the booking has an expiration time. However, the examiner gives OFFICIAL NOTICE that it is notoriously well known in the art to have an expiration time associated with a booking or a task so as to prevent system resources from being unnecessarily allocated. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pohlmann with an expiration time associated with a booking or a task so as to prevent system resources from being unnecessarily allocated.

4.   Claims 1, 5, 22-25 and 28-29 rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. (US Pat No 5,699,107) in view of Pohlmann et al. further in view of Warwick et al.

In regard to claims 1 and 22, Lawler et al. discloses a program reminder system that reminds a user of an interactive viewing system when a pre-selected program is available. The reference is silent with respect to a first event manager, a first action handler, and an event broker mechanism. Pohlmann discloses a first event manager, a first action handler, and an event broker mechanism as similarly recited in claim 1 so as to an integrated system for providing tools that utilize a compatible interface without significantly sacrificing tool functionality. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Lawler with a first event manager, a first action handler, and an event broker mechanism for the stated advantage. Lawler and Pohlmann fail to explicitly disclose "wherein the first request includes a description of the first event using a syntax which is unintelligible to the event broker but which is intelligible to a first event manager of the event managers". Warwick et al. teaches a "first request includes a description of the first event using a syntax which is unintelligible to the event broker but which is intelligible to a first event manager of the event managers" (See: Col 7, Line 54 – Col 8, Line 39; Col 2, Lines 49-65: Figure 5) so as to avoid the computer system from suffering the performance burden of having similar code all loaded in the kernel. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify the combination of Lawler and Pohlmann with a "first request includes a description of the first event using a syntax which is unintelligible to the event broker but which is intelligible to a first event manager of the event managers" for the stated advantage.

In regard to claim 5, Lawler et al. discloses a system to remind a use of an event

(i.e. the start of a television program). (Col 3, Lines 36-50).

In regard to claim 23, Lawler et al. discloses an interactive television system

receiver coupled to receive a broadcast signal and configured to provide an output

signal to a television. "The demodulator 52 functions as a conventional television tuner

for selecting one or more of multiple conventional analog video signals present at input

48" (Col 6, Lines 12-15). "The interactive station controller 18 also may include a

graphics subsystem 62 that is controlled by the CPU 58 to form graphics images,

including user interface displays, on the video display 20" (Col 6, Lines 32-35).

Claims 24 and 28-29 are met by that discussed for claims 1 and 22.

In regard to claim 25, the combined teaching fails to explicitly disclose that the

event manager is not configured to communicate directly with the fist action handler.

However, it is submitted that it would have been clearly obvious to one of ordinary skill

in the art to have the event manager not configured to communicate directly with the fist

action handler so as to have an intermediate step between the two modules such as a

buffering device so as to alleviate any problems associated with real time

communication.

5.   Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lawler et al. in view of Pohlmann et al. in further view of Warwick et al. and in further

view of Chawla (US Pat No 6,108,695).

In regard to claim 3, the combination of Lawler et al. and Pohlmann et al. teaches

an event notification system implemented in a receiver for a broadcast system. The

combination of references fails to explicitly disclose the use of a framework comprising

a software layer between an application layer and a driver layer. Chawla teaches the

use of a software layer between the "application layer" or the media stream manager

and the "driver layer" or the low-level software (Figure 3; Col 4, Lines 6-12), which is

preferred in order to increase system performance and user control. Consequently, it

would have been clearly obvious to one of ordinary skill in the art to modify the

combination of references with a software layer between the "application layer" or the

media stream manager and the "driver layer" or the low-level software to increase

system performance and user control.

In regard to claim 6, Chawla discloses a system for managing channels on a

multiple channel digital media server. The reference fails to explicitly disclose the use

of library extensions as claimed. However, the examiner gives OFFICIAL NOTICE that

it is notoriously well known in the art to use library extensions for addressing files.

Consequently, it would have been clearly obvious to one of ordinary skill in the art to

implement Chawla with library extensions for addressing files.

6.   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Pohlmann et al in view of Warwick et al. and in further view of Sudhakaran et al. (US

Pat No 6,636,901).

In regard to claim 11, Pohlmann et al. discloses an event notification system.

The reference fails to explicitly disclose that the event broker is configured to determine

the recourses required and resolve resource conflicts. Sudhakaran et al. teaches

automatically determining the resources required and resolving any resource conflicts

so that one or more resources can be shared between different functions in an error free fashion. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Pohlmann et al. with automatically determining the resources required and resolving any resource conflicts so that one or more resources can be shared between different functions in an error free fashion.

7.   Claims 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pohlmann et al. in view of Warwick et al. and in further view of Chernock et al. (US Pat Application Publication No 2003/0159150).

        In regard to claim 21, Pohlmann et al. discloses an event notification system. The reference fails to explicitly disclose actions as claimed. The reference fails to explicitly disclose a plurality of distinct event types and actions. Chernock teaches the use of plurality of distinct event types and actions. Some of these event types and actions are:

- "Tuning the receiving device to play the subsequent program"

- "Recording a subsequent program or its selected embedded content at the scheduled time on an external video recording medium for video, on an external audio recording medium for audio, and on internal or external digital data recording medium for other digital data"

- "Reminding the user of the scheduled event at the scheduled time, with a video or audio notification, which will allow the user to tune the STB device to play the program" (Paragraphs 0018-0020).

This system is preferred in order to provide the user with more options. Consequently,

it would have been clearly obvious to one of ordinary skill in the art to implement

Pohlmann et al. with of distinct event types to provide the users with more options.

8.   Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler

et al. in view of Pohlmann et al. Warwick et al. and in further view of Sudhakaran et al.

       In regard to claim 27, the combination of Lawler et al. and Pohlmann et al.

disclose that multiple booking may be register. The combination fails to explicitly

disclose that the event broker is configured to determine the recourses required and

resolve resource conflicts. Sudhakaran et al. teaches automatically determining the

resources required and resolving any resource conflicts so that one or more resources

can be shared between different functions in an error free fashion. Consequently, it

would have been clearly obvious to one of ordinary skill in the art to modify the

combination of Lawler et al. and Pohlmann et al. with automatically determining the

resources required and resolving any resource conflicts so that one or more resources

can be shared between different functions in an error free fashion.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to John Manning whose telephone number is 571-272-

7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM
August 31, 2006

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